

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on February 17, 2009.

Mayor David W. Cline presided and called the meeting to order at 6:30 p.m.

Mayor Cline led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Joe McKenzie, YEA Commissioner David Schilling, YEA Mayor David Cline.

Also physically present were City personnel: City Administrator Alan Gilmore, Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Deputy Police Chief Jeff Branson, Community Development Coordinator Kyle Gill, Fire Chief Mike Chism, Assistant Fire Chief Andy Adair, Deputy Police Chief Adam Weinstock, and City Clerk Susan O'Brien.

PUBLIC HEARING: Vacating the alleyway between Broadway and Charleston Avenues and 13th and 14th Street for Cedarwood Development, Inc. (CVS Pharmacy) Mayor Cline opened a public hearing regarding the vacation of an alley between Broadway and Charleston Avenues and 13th and 14th Streets for Cedarwood Development, Inc.'s CVS Pharmacy project at 6:30 p.m. in the City Hall Council Chambers. Attorney & Treasurer Owen conducted the public hearing by stating the location of the area; reviewing the publication of the public notice on January 31, 2009; and requested any testimony from the public. With no comments from the public or Council, Mayor Cline closed the public hearing at 6:31 p.m.

Mayor Cline seconded by Commissioner Schilling moved to approve the consent agenda consisting of minutes of the regular meeting February 3, 2009; Fire Department report for the month of January 2009 and Financial reports for January, 2009; and payroll for end of January and beginning of February; Bills for the last half of January, 2009; and HOME Rehab Grant Expenditures.

Bills last of January and Payroll Last Jan. First February, 2009

	<u>General Fund</u>	-
Payroll		\$ 251,825.08
Bills	-	<u>\$ 102,967.87</u>
	Total	\$ 354,792.95
	<u>Hotel Tax Fund</u>	
Payroll		\$ 1,618.08
Bills		<u>\$ 563.67</u>
	Total	\$ 2,181.75
	<u>Festival Management</u>	
Bills		<u>\$ 650.12</u>
	Total	\$ 650.12
	<u>Midtown TIF Fund</u>	
Bills		<u>\$ 4,987.94</u>
	Total	\$ 4,987.94
	<u>I-57 East TIF District</u>	
Bills		<u>\$ 908.50</u>
	Total	\$ 908.50
	<u>I 57 East Business Dist</u>	
Bills		<u>\$ 5,269.40</u>
	Total	\$ 5,269.40
	<u>Water Fund</u>	
Payroll	-	\$ 34,582.54
Bills		<u>\$ 26,584.23</u>
	Total	\$ 61,166.77
	<u>Sewer Fund</u>	
Payroll		\$ 29,072.90
Bills		<u>\$ 227,843.97</u>
	Total	\$ 256,916.87
	<u>Cemetery Fund</u>	

Payroll	-		\$	3,394.62
Bills	-		\$	636.18
	-	Total	\$	4,003.40
	-			
				<u>Motor Fuel Tax Fund</u>
Bills	-		\$	8,179.24
	-	Total	\$	8,179.24
	-			<u>Health Insurance</u>
Bills	-		\$	54,243.98
	-	Total	\$	54,243.98
	-			<u>Revolving Loan Fund</u>
Bills	-		\$	540.00
	-	Total	\$	540.00

Commissioner Hall requested a review of the HOME Rehab grant. Administrator Gilmore reviewed the grant with Commissioner McKenzie noting the processing of applications through CCRP-DC and Commissioner Schilling noting the two year waiting list and longevity of the grants.

Mayor Cline declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline opened the floor for presentations, petitions and communications.

Director Wortman noted the \$140,000 sewer fund expenditure as payment for the new vector truck.

Mr. George Gullion questioned as to the number of dilapidated properties on DeWitt, and properties pumping water onto the streets. Mayor Cline stated certain procedures had to be followed to demolish structures and budget constraints.

Coordinator Gill stated there was no money budgeted for condemnations this year as had been in the past; noted in 2008 several properties were demolished by the property owners after being cited by the City; and an approaching deadline for the property at 6th and DeWitt to have made improvements.

Mrs. Jackie Record requested an update to the Council on the Depot bids. Administrator Gilmore stated the City received one bid from a contractor within the funding of the project. Attorney & Treasurer Owen stated contingencies and architect fee funding needed to be addressed before awarding the bid. The architect fees were elaborated on by Administrator Gilmore and Attorney & Treasurer Owen with Mr. Brad Metcalf reinforcing the addressing of the contingency aspect.

Commissioner Ervin seconded by Commissioner McKenzie moved to adopt Resolution 2009-2766, giving notice to the Illinois Department of Transportation of the 4th of July parade to be sponsored by the City of Mattoon.

**CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2009-2766**

WHEREAS, the **City of Mattoon** is sponsoring a **Parade** in the **City of Mattoon** which event constitutes a public purpose;

WHEREAS, this **Parade** will require the temporary closure of **US 45 / IL 121**, a State Highway in the **City of Mattoon** from **Western Avenue to Broadway Avenue**;

WHEREAS, Section 4-408 of the Illinois Highway Code Authorizes the Illinois Department of Transportation to issue permits to local authorities to temporarily close portions of State Highways for such public purposes.

NOW, THEREFORE, BE IT RESOLVED by the **Council** of the **City of Mattoon** that permission to close off **US 45 / IL 121** from **Western Avenue to Broadway Avenue** as above designated, be requested of the Illinois Department of Transportation.

BE IT FURTHER RESOLVED that this closure shall occur during the approximate time period between **9:00 AM** and **10:30 AM** on **July 4, 2009**.

BE IT FURTHER RESOLVED that this closure is for the public purpose of the **July 4th Parade**.

BE IT FURTHER RESOLVED that traffic from the closed portion of highway shall be detoured over routes with an all weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State Highway. (The parking of vehicles shall be prohibited on the detour route to allow an uninterrupted flow of two-way traffic.)* The detour shall be as follows: **The parade will only be crossing the State route at an angle from Western Avenue to**

Broadway Avenue; therefore, a detour will not be necessary due to the ability to open the road to traffic as required.

*To be used when appropriate.

BE IT FURTHER RESOLVED that the **City of Mattoon** assumes full responsibility for the direction, protection and regulation of the traffic during the time the detour is in effect.

BE IT FURTHER RESOLVED that the police officers or authorized flaggers shall at the expense of the **City of Mattoon** be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic through the detour.

BE IT FURTHER RESOLVED that police officers, flaggers and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as is safe for all concerned.

BE IT FURTHER RESOLVED that all debris shall be removed by the **City of Mattoon** prior to reopening the State Highway.

BE IT FURTHER RESOLVED that such signs, flags, barricades, etc., shall be used by the **City of Mattoon** as may be approved by the Illinois Department of Transportation. These items shall be provided by the **City of Mattoon**.

BE IT FURTHER RESOLVED that the closure and the detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices.

BE IT FURTHER RESOLVED that an occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for the traffic on intersecting highways pursuant to conditions noted above. (Note: This paragraph is applicable when the Resolution pertains to a Parade or when a detour is required)

BE IT FURTHER RESOLVED that the **City of Mattoon** hereby agrees to assume all liabilities and pay all claims for any damage which shall be occasioned by the closing described above.

BE IT FURTHER RESOLVED that the **City of Mattoon** shall provide a comprehensive general liability insurance policy or an additional endorsement in the amount of \$100,000 per person and \$500,000 on aggregate which as the Illinois Department of Transportation and its officials, employees and agents as insured's and which protects them from all claims arising from the requested road closing.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Illinois Department of Transportation so serve as a formal request for the permission sought in this resolution and to operate as part of the conditions of said permission.

PRESENTED this 17th day of February, **2009**. A.D.

APPROVED this 17th day of February, **2009** A.D.

ADOPTED this 17th day of February, **2009**. A.D.

/s/ David W. Cline
MAYOR

ATTEST:

/s/ Susan J. O'Brien
MUNICIPAL CLERK

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Ervin seconded by Commissioner Schilling moved to adopt Resolution 2009-2767, giving notice to the Illinois Department of Transportation of the Bagelfest parade to be sponsored by the City of Mattoon.

CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2009-2767

WHEREAS, the **City of Mattoon** is sponsoring a **Parade** in the **City of Mattoon** which event constitutes a public purpose;

WHEREAS, this **Parade** will require the temporary closure of **US 45 / IL 121**, a State Highway in the **City of Mattoon** from **Western Avenue to Broadway Avenue**;

WHEREAS, Section 4-408 of the Illinois Highway Code Authorizes the Illinois Department of Transportation to issue permits to local authorities to temporarily close portions of State Highways for such public purposes.

NOW, THEREFORE, BE IT RESOLVED by the **Council** of the **City of Mattoon** that permission to close off **US 45 / IL 121** from **Western Avenue to Broadway Avenue** as above designated, be requested of the Illinois Department of Transportation.

BE IT FURTHER RESOLVED that this closure shall occur during the approximate time period between **10:30 AM** and **11:30 AM** on **July 18, 2009**.

BE IT FURTHER RESOLVED that this closure is for the public purpose of the **Bagelfest Parade**.

BE IT FURTHER RESOLVED that traffic from the closed portion of highway shall be detoured over routes with an all weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State Highway. (The parking of vehicles shall be prohibited on the detour route to allow an uninterrupted flow of two-way traffic.)* The detour shall be as follows: **The parade will only be crossing the State route at an angle from Western Avenue to Broadway Avenue; therefore, a detour will not be necessary due to the ability to open the road to traffic as required.**

*To be used when appropriate.

BE IT FURTHER RESOLVED that the **City of Mattoon** assumes full responsibility for the direction, protection and regulation of the traffic during the time the detour is in effect.

BE IT FURTHER RESOLVED that the police officers or authorized flaggers shall at the expense of the **City of Mattoon** be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic through the detour.

BE IT FURTHER RESOLVED that police officers, flaggers and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as is safe for all concerned.

BE IT FURTHER RESOLVED that all debris shall be removed by the **City of Mattoon** prior to reopening the State Highway.

BE IT FURTHER RESOLVED that such signs, flags, barricades, etc., shall be used by the **City of Mattoon** as may be approved by the Illinois Department of Transportation. These items shall be provided by the **City of Mattoon**.

BE IT FURTHER RESOLVED that the closure and the detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices.

BE IT FURTHER RESOLVED that an occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for the traffic on intersecting highways pursuant to conditions noted above. (Note: This paragraph is applicable when the Resolution pertains to a Parade or when a detour is required)

BE IT FURTHER RESOLVED that the **City of Mattoon** hereby agrees to assume all liabilities and pay all claims for any damage which shall be occasioned by the closing described above.

BE IT FURTHER RESOLVED that the **City of Mattoon** shall provide a comprehensive general liability insurance policy or an additional endorsement in the amount of \$100,000 per person and \$500,000 on aggregate which as the Illinois Department of Transportation and its officials, employees and agents as insured's and which protects them from all claims arising from the requested road closing.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Illinois Department of Transportation so serve as a formal request for the permission sought in this resolution and to operate as part of the conditions of said permission.

PRESENTED this 17th day of February, **2009** A.D.

APPROVED this 17th day of February, **2009** A.D.

ADOPTED this 17th day of February, **2009**. A.D.

/s/ David W. Cline
MAYOR

ATTEST:

/s/ Susan J. O'Brien
MUNICIPAL CLERK

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Ervin seconded by Commissioner Hall moved to adopt Resolution 2009-2768, giving notice to the Illinois Department of Transportation of the Veterans Day parade to be sponsored by the City of Mattoon.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2009-2768

WHEREAS, the **City of Mattoon** is sponsoring a **Parade** in the **City of Mattoon** which event constitutes a public purpose;

WHEREAS, this **Parade** will require the temporary closure of **US 45 / IL 121**, a State Highway in the **City of Mattoon** from **Western Avenue to Broadway Avenue**;

WHEREAS, Section 4-408 of the Illinois Highway Code Authorizes the Illinois Department of Transportation to issue permits to local authorities to temporarily close portions of State Highways for such public purposes.

NOW, THEREFORE, BE IT RESOLVED by the **Council** of the **City of Mattoon** that permission to close off **US 45 / IL 121** from **Western Avenue to Broadway Avenue** as above designated, be requested of the Illinois Department of Transportation.

BE IT FURTHER RESOLVED that this closure shall occur during the approximate time period between **10:00 AM** and **11:00 AM** on **November 11, 2009**.

BE IT FURTHER RESOLVED that this closure is for the public purpose of the **Veterans Day Parade**.

BE IT FURTHER RESOLVED that traffic from the closed portion of highway shall be detoured over routes with an all weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State Highway. (The parking of vehicles shall be prohibited on the detour route to allow an uninterrupted flow of two-way traffic.)* The detour shall be as follows: **The parade will only be crossing the State route at an angle from Western Avenue to Broadway Avenue; therefore, a detour will not be necessary due to the ability to open the road to traffic as required.**
*To be used when appropriate.

BE IT FURTHER RESOLVED that the **City of Mattoon** assumes full responsibility for the direction, protection and regulation of the traffic during the time the detour is in effect.

BE IT FURTHER RESOLVED that the police officers or authorized flaggers shall at the expense of the **City of Mattoon** be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic through the detour.

BE IT FURTHER RESOLVED that police officers, flaggers and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as is safe for all concerned.

BE IT FURTHER RESOLVED that all debris shall be removed by the **City of Mattoon** prior to reopening the State Highway.

BE IT FURTHER RESOLVED that such signs, flags, barricades, etc., shall be used by the **City of Mattoon** as may be approved by the Illinois Department of Transportation. These items shall be provided by the **City of Mattoon**.

BE IT FURTHER RESOLVED that the closure and the detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices.

BE IT FURTHER RESOLVED that an occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for the traffic on intersecting highways pursuant to conditions noted above. (Note: This paragraph is applicable when the Resolution pertains to a Parade or when a detour is required)

BE IT FURTHER RESOLVED that the **City of Mattoon** hereby agrees to assume all liabilities and pay all claims for any damage which shall be occasioned by the closing described above.

BE IT FURTHER RESOLVED that the **City of Mattoon** shall provide a comprehensive general liability insurance policy or an additional endorsement in the amount of \$100,000 per person and \$500,000 on aggregate which as the Illinois Department of Transportation and its officials, employees and agents as insured's and which protects them from all claims arising from the requested road closing.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Illinois Department of Transportation so serve as a formal request for the permission sought in this resolution and to operate as part of the conditions of said permission.

PRESENTED this 17th day of February, **2009** A.D.

APPROVED this 17th day of February, **2009** A.D.

ADOPTED this 17th day of February, 2009. A.D.

/s/ David W. Cline

MAYOR

ATTEST:

/s/ Susan J. O'Brien
MUNICIPAL CLERK

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Ervin seconded by Commissioner McKenzie moved to adopt Resolution 2009-2769, giving notice to the Illinois Department of Transportation of the Christmas parade to be sponsored by the City of Mattoon.

CITY OF MATTOON

RESOLUTION NO 2009-2769

WHEREAS, the **City of Mattoon** is sponsoring a **Parade** in the **City of Mattoon** which event constitutes a public purpose;

WHEREAS, this **Parade** will require the temporary closure of **US 45 / IL 121**, a State Highway in the **City of Mattoon** from **Western Avenue to Broadway Avenue**;

WHEREAS, Section 4-408 of the Illinois Highway Code Authorizes the Illinois Department of Transportation to issue permits to local authorities to temporarily close portions of State Highways for such public purposes.

NOW, THEREFORE, BE IT RESOLVED by the **Council** of the **City of Mattoon** that permission to close off **US 45 / IL 121** from **Western Avenue to Broadway Avenue** as above designated, be requested of the Illinois Department of Transportation.

BE IT FURTHER RESOLVED that this closure shall occur during the approximate time period between **10:00 AM** and **11:00 AM** on **November 28, 2009**.

BE IT FURTHER RESOLVED that this closure is for the public purpose of the **Christmas Parade**.

BE IT FURTHER RESOLVED that traffic from the closed portion of highway shall be detoured over routes with an all weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State Highway. (The parking of vehicles shall be prohibited on the detour route to allow an uninterrupted flow of two-way traffic.)* The detour shall be as follows: **The parade will only be crossing the State route at an angle from Western Avenue to Broadway Avenue; therefore, a detour will not be necessary due to the ability to open the road to traffic as required.**

*To be used when appropriate.

BE IT FURTHER RESOLVED that the **City of Mattoon** assumes full responsibility for the direction, protection and regulation of the traffic during the time the detour is in effect.

BE IT FURTHER RESOLVED that the police officers or authorized flaggers shall at the expense of the **City of Mattoon** be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic through the detour.

BE IT FURTHER RESOLVED that police officers, flaggers and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as is safe for all concerned.

BE IT FURTHER RESOLVED that all debris shall be removed by the **City of Mattoon** prior to reopening the State Highway.

BE IT FURTHER RESOLVED that such signs, flags, barricades, etc., shall be used by the **City of Mattoon** as may be approved by the Illinois Department of Transportation. These items shall be provided by the **City of Mattoon**.

BE IT FURTHER RESOLVED that the closure and the detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices.

BE IT FURTHER RESOLVED that an occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for the traffic on intersecting highways pursuant to conditions noted above. (Note: This paragraph is applicable when the Resolution pertains to a Parade or when a detour is required)

BE IT FURTHER RESOLVED that the **City of Mattoon** hereby agrees to assume all liabilities and pay all claims for any damage which shall be occasioned by the closing described above.

BE IT FURTHER RESOLVED that the **City of Mattoon** shall provide a comprehensive general liability insurance policy or an additional endorsement in the amount of \$100,000 per person and \$500,000 on aggregate which as the Illinois Department of Transportation and its officials, employees and agents as insured's and which protects them from all claims arising from the requested road closing.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Illinois Department of Transportation so serve as a formal request for the permission sought in this resolution and to operate as part of the conditions of said permission.

PRESENTED this 17th day of February, **2009** A.D.

APPROVED this 17th day of February, **2009** A.D.

ADOPTED this 17th day of February, **2009** A.D.

Cline
ATTEST:

/s/ David W.

MAYOR

/s/ Susan J. O'Brien
MUNICIPAL CLERK

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner McKenzie seconded by Commissioner Schilling moved to adopt Special Ordinance 2009-1320, approving the vacation of an alley located between 13th and 14th Streets and Broadway and Charleston Avenues for CVS Pharmacy.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2009-1320

AN ORDINANCE VACATING AN ALLEY LOCATED NORTH OF CHARLESTON AVENUE AND SOUTH OF BROADWAY AVENUE BETWEEN SOUTH 13TH STREET AND SOUTH 14TH STREET IN THE CITY OF MATTOON, COLES COUNTY, ILLINOIS

WHEREAS, Cedarwood Development, Inc. (Agent for CVS Corp.) has heretofore presented a Petition to the City Clerk to vacate the alley in Block 137 of the Original Town, now the City of Mattoon, Coles County, Illinois, which Petition requests that said alley be vacated by the City of Mattoon, Coles County, Illinois; and,

WHEREAS, a copy of the plat of vacation is attached hereto and incorporated herein as Exhibit "A"; and,

WHEREAS, said Petition was recommended for approval at a meeting of the Mattoon Planning Commission held February 9, 2009; and,

WHEREAS, the City Council of the City of Mattoon, Coles County, Illinois, has determined that the public interest will be served by vacating said alley, so as to relieve the public from further burden and responsibility of maintaining the public right-of-way.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION, as follows:

Section 1. That the alley located north of Charleston Avenue and south of Broadway Avenue between South 13th Street and South 14th Street in the City of Mattoon be vacated and the same is hereby vacated, subject to any and all existing utility easements over and under the said alley previously granted to the City or utilized by the City or Utility Companies, and is legally described as follows:

A certain 20 feet wide by 300 feet long alley located South of lots 1,2,3,4,5,6 and North of lots 7,8,9,10,11,12 of Block 137 of the Original Town, now the City of Mattoon, Coles County, Illinois

Section 2. This Ordinance shall become effective immediately after Cedarwood Development, Inc. (Agent for CVS Corp.) has tendered to the City of Mattoon an amount equivalent to the average of two appraisals of the fair market value of the vacated premises and payment of all costs associated with said vacation.

Section 3. Cedarwood Development, Inc. (Agent for CVS Corp.), having made the entire payment of the average appraised value and the costs associated with this vacation, shall be and is vested with title to the vacated said alley as legally described above.

Commissioner Hall seconded by Commissioner McKenzie moved to adopt Special Ordinance 2009-1321, accepting the dedication of property located at 1905 Western, also known as Wolf Pocket Park.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2009-1321

AN ORDINANCE ACCEPTING A GIFT DEED FROM THE GUSSIE WOLF FAMILY TRUST FOR PART OF LOT 1 IN BLOCK 111 IN NOYES' ADDITION TO THE CITY OF MATTOON

WHEREAS, Noyes' Addition to the City of Mattoon contains small lot located at the corner of Western Avenue and 19th Street; and,

WHEREAS, the Gussie Wolf Family Trust desires to make a gift of the lot to the City of Mattoon; and,

WHEREAS, Attached hereto (and incorporated herein by this reference) are the documents necessary to affect the transfer of the property from the Gussie Wolf Family Trust to the City of Mattoon, namely the Gift Deed, Illinois Real Estate Transfer Declaration and a Plat Act Affidavit.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION, as follows:

Section 1. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. The Mayor and City Clerk are authorized and directed to execute any and all documents necessary to affect the gift of Lot 1 in Block 111 in Noyes' Addition to the City of Mattoon.

Section 3. Lot 1 in Block 111 in Noyes' Addition to the City of Mattoon is being given for no specific purpose and the City of Mattoon may use or dispose of the lot in any manner that it sees fit now or at any time in the future.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Upon motion by Commissioner Hall, seconded by Commissioner McKenzie, adopted this 17th day of February, 2009, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Ervin, Commissioner Hall</u> <u>Commissioner McKenzie, Commissioner Schilling,</u> <u>Mayor Cline</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 17th day of February, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM

<u>/s/ Susan J. O'Brien</u> Susan J. O'Brien, City Clerk	<u>/s/ J. Preston Owen</u> J. Preston Owen, City Attorney & Treasurer
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Recorded in the Municipality's Records on February 18, 2009.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to recess to closed session at 7:31 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)).

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Council reconvened at 9:01 p.m.

Commissioner Ervin seconded by Commissioner McKenzie moved to adjourn at 9:01 p.m.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

/s/ Susan J. O'Brien
City Clerk